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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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09/806,460

07/05/2001

Jae-sung Jeon

82291

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20529

7590

07/25/2006

NATH & ASSOCIATES

112 South West Street

Alexandria, VA 22314

EXAMINER

KYLE, CHARLES R

ART UNIT

PAPER NUMBER

3624

DATE MAILED: 07/25/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.		Applicant(s)	
	09/806,460		JEON, JAE-SUNG	
	Examiner		Art Unit	
	Charles Kyle		3624	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 02 April 2001.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-3 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-3 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| Paper No(s)/Mail Date <u>7/16/01</u> | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Claim Rejections - 35 USC § 112

The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

Claims 1-3 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

As to **Claims 1-3**, they are rejected because they fail to clearly set out the nature of the claimed invention as either processing of a single hybrid debit/credit card or alternative processing methods for separate debit and credit cards. For purpose of examination, Applicant's phrasing of "cash/debit" card is understood to be a debit card, and a single card is chosen for processing from the two choices of a debit card and a credit card.

Claims 1-3 recite the phrase "information about card holder's balance of an account transferable to another account". This suggests transfer of entire account balances from one account to another, likely not Applicant's intention. For purpose of examination, the phrase is read as "information about an amount to be transferred form one account to another in payment of a debt".

Specifically, **Claim 1** recites phrasing at page 9, line 10 which appears to be missing the conjunction "and" between the words "bank" and "requesting". This makes it unclear whether the "requesting an immediate money transfer...decoding terminal" phrase is required by the claim if the single card is a credit card.

Claim 1 recites the phrase “a card decoding terminal for transmitting information about card holder's balance of an account transferable to another account” when the card chosen is a credit card. It is unclear why this would be done if the single card were a credit card.

Claim 1 recites the phrase “for carrying on all real-time money transfers between same or different banks”. How money transfers could occur between a same bank[s] is unclear.

With Respect to Claim 2, it recites the phrase “the task performing unit of a bank carries on a real-time money transfer services between same or different banking accounts on the real-time basis for the payment approved thereby”. How money transfers services could occur between a same banking account[s] is unclear.

As to Claim 2, it is unclear why one would “discriminate whether the price of a goods to be purchased on the cash/debit card is lower than the balance of card holder's banking account” if the single card chosen from the alternatives of a debit card and a credit card is the credit card, which is not concerned with a bank account balance but rather available credit.

Regarding Claim 2, it is unclear why one would “acknowledge statement of a money transfer between same or different banking accounts to a task performing unit of a bank of a cash/debit card” if the single card chosen from the alternatives of a debit card and a credit card is the credit card, which would not perform an immediate transfer of funds.

Claim 3 is unclear because it does not address what is done in the event that the card is not a credit card. Further, given this ambiguity and the alternative selection between cash/debit and credit cards, the application of art is precluded.

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Claims 1-2 are rejected under 35 U.S.C. 102(b) as being anticipated by US 5,870,456

Rogers.

As to Claim 1, *Rogers* discloses the invention as claimed, including in a real-time cash approval system of a debit card (Abstract) comprising;

a card decoding terminal (Fig 1, ele. 12) for transmitting information about a card holder,s balance transferable to another account (Fig. 2B, eles. 224, 226, 228)and a list of transactions to be made and approved on the debit card (Fig. 2A, eles. 214, 216) on a real time basis Abstract; Fig. 3, particularly ele. 300)

a task performing unit of a bank for carrying on all real-time money transfers between different banks (Abstract; Col. 9, lines 31-62); and

an intermediate unit for recording and intermediating the list of transactions to be approved on the debit card form the card decoding terminal to the task performing unit of a bank (Fig. 1, ele. 22 and related text).

See also Summary of the Invention.

Art Unit: 3624

As to Claim 2, see the discussion of Claim 1, which is a system form of Claim 2, and *Rogers* further discloses balance checking, as recited at lines 12-13 of Claim 2, at Col. 3, lines 27-31, at least.

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Charles Kyle whose telephone number is (571) 272-6746. The examiner can normally be reached on 6:30 to 3:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Vincent Millin can be reached on (571) 272-6747. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

crk
July 18, 2006


CHARLES R. KYLE
PRIMARY EXAMINER